

**GUAM ANCESTRAL LANDS COMMISSION
REGULAR MEETING MINUTES
Via Zoom With Live-Streaming On YouTube
April 27, 2022 • 2:15 p.m. to 4:15 p.m.**

I. CALL TO ORDER

Chairman Eclavea called the virtual, regular meeting of the Guam Ancestral Lands Commission to order at 2:15 p.m. In compliance with Public Law 24-109, the Guam Ancestral Lands Commission announced the virtual meeting on Wednesday, April 20, 2022 and Monday, April 25, 2022 in the *Guam Daily Post*.

II. ROLL CALL

Executive Director Burch took roll call and stated they had a quorum of 4 members.

Commission Members Present

Ronald F. Eclavea, Chairman

Ronald T. Laguana, Vice Chairman (logged off at approximately 3:00 p.m.)

Maria G. Cruz, Secretary/Treasurer

Angela M. Camacho, Commissioner (logged on at approximately 2:40 p.m.)

Anita F. Orlino, Commissioner (logged off at approximately 3:45 p.m.)

Absent

Jeffrey B. Rios, Commissioner (excused)

Louisa F. Wessling, Commissioner (excused)

Management and Staff Present

John T. Burch, Executive Director

Nicolas E. Toft, Legal Counsel, OAG

Catherine T. C. Blas, Special Projects Coordinator

Joey Leon Guerrero, Land Agent II

Andy Mendiola, DOL Land Agent I Trainee

Mara Perez, Administrative Aide

Also Present

Mary Camacho, Real Property Supervisor, GEDA

Mike Cruz, Project Manager, GEDA

Christina Vasques, Program Coordinator I, GEDA

Shane Black, Esq., Baumann, Xu and Black LLC

III. APPROVAL OF MINUTES

A. March 23, 2022

B. April 13, 2022

Motion to approve both the March 23, 2022 and the April 13, 2022 minutes, subject to corrections per audio recording, made by Secretary/Treasurer

Cruz, seconded by Vice Chairman Laguana. The Chairman called for a vote. Motion passed 4-0.

IV. EXECUTIVE DIRECTOR'S REPORT

Please see attached for the report.

Executive Director Burch provided updates on the following: Medical Campus, Bill No. 277-36 (COR), Farmers' Cooperative Association of Guam (FCAG), GALC FY 2021 Independent Financial Audit, and the GEDA/GALC Investment Services MOU.

The Director included 4 documents with his report: FCAG Income Statement, GALC Resolutions Nos. 2022-005 & 2022-006, and the AT&T Ledger. These 4 documents are also attached.

Commissioner Camacho logged on.

Secretary/Treasurer Cruz stated they needed to get an auditor's certified financial statement from FCAG.

Executive Director Burch stated that GALC Resolutions Nos. 2022-005 and 2022-006 will correct the paper trail issue for the independent auditor and requested the Board to take action on them.

Motion made to approve the 2 resolutions (GALC Resolutions Nos. 2022-005 and 2022-006) by Vice Chairman Laguana, seconded by Commissioner Orlino. The Chairman called for a vote. Motion passed 5-0.

V. GUAM ECONOMIC DEVELOPMENT AUTHORITY (GEDA) Progress Report – Presented by Tony Arriola

Please see attached for the report.

Vice Chairman Laguana logged off.

The Chairman asked Mr. Arriola if they had more information on FCAG's financial statement.

Mr. Arriola stated not at the moment.

After Mr. Arriola presented GEDA's Progress Report, Mary Camacho invited the Commissioners and the Director to attend GEDA's Financial Committee quarterly meetings. She stated they were not required to attend, but they could attend as representatives of GALC given that they will soon have a GEDA/GALC Investment Services MOU.

VI. OLD BUSINESS

A. Farmers' Cooperative Association of Guam (FCAG) - Audit Update

It was decided that GEDA would contact FCAG acknowledging receipt of their income statement, but that GALC needed an auditor's certified statement.

B. GEDA MOU - Investment Services Update

This was covered in the GEDA Progress Report.

C. GALC Resolution Nos. 2022-005 & 2022-006

Action was taken on both resolutions earlier in the meeting.

VII. NEW BUSINESS

A. Request to Amend Deed for the 2nd Portion of Lot 2458, Eda Agaga, Barrigada

Please see attached letter from Atty. Shane Black to GALC

Attorney Black stated the Estate of Antonia Blas Calvo needed an amended quitclaim deed on the 2nd portion of Lot 2458, Barrigada. The 1st portion was returned in 2004, and the 2nd portion was returned in 2012. He said the Title company would not issue a Title policy on the 2nd portion, because there are differences between the 2 deeds. Therefore, he requested an amended October 26, 2012 Quitclaims Deed for the 2nd portion.

Legal Counsel Nicolas Toft advised the Board to issue an amended quitclaim deed. He stated the motion should be to amend the deed for the 2nd portion of Lot 2358 at Eda Agaga, Barrigada, to be quitclaimed to the Estate of Antonia Blas Calvo. He said the board member making the motion could just say, "So moved."

Motion so moved by Commissioner Camacho, seconded by Secretary/Treasurer Cruz. The Chairman called for a roll call vote.

Commissioner Camacho - Aye.

Commissioner Orlino - Aye.

Secretary/Treasurer Cruz – Aye.

Chairman Eclavea – Aye.

The motion passed.

B. GALC Tiyan Properties Lot 5175-1REM & Lot 5182-1REM

Joey Leon Guerrero shared his computer screen, which displayed the map of the Tiyan properties. Mr. Leon Guerrero also displayed a map of Phase 2 of the Parkway in relation to the Tiyan properties. There was a discussion about the easements on the properties. There was a discussion about developing the properties for commercial usage. The discussion ended with GALC informing GEDA to move forward with looking into developing the properties.

VIII. PUBLIC COMMENTS

There were no public comments.

IX. ANNOUNCEMENTS

A. The Commission scheduled the next meeting for May 11, 2022.

Commissioner Orlino logged off.

There was a discussion about scaling down the meetings to once a month.

There was a discussion about the upcoming Budget Pre-Hearing on May 27, and the Budget Public Hearing on June 2.

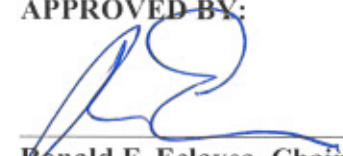
There was a discussion about GALC's Rules and Regs.

X. ADJOURNMENT

A. Chairman Eclavea thanked everyone and adjourned the meeting at 4:15 p.m.

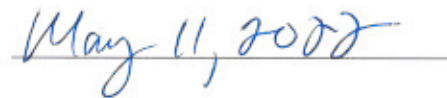
Additional Remarks: Please refer to the Office of Public Accountability's (OPA) website for the GALC Board Meeting Minutes Audio Recording for detailed information.

APPROVED BY:



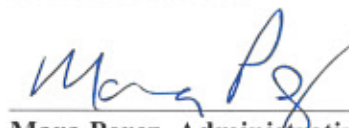
Ronald F. Eclavea, Chairman
Guam Ancestral Lands Commission

DATE APPROVED:



May 11, 2022

SUBMITTED BY:



Mara Perez, Administrative Aide
Guam Ancestral Lands Commission

REVIEWED AND APPROVED BY:



John T. Burch, Executive Director
Guam Ancestral Lands Commission

MEMORANDUM

Date: April 27, 2022
To: All Members, Guam Ancestral Lands Commission
From: Executive Director
Re: Executive Director's Report

The following are updates for the Guam Ancestral Lands Commission.

Medical Campus:

At the direction of the Governor, GALC and GEDA continue to have meetings regarding the feasibility of building the Medical Campus on 102 acres located in the Eagles Field area. These meetings are with the landowners and/or their representatives to gain their perspective on building the Medical Campus on their ancestral lands.

Bill No. 277-36 (COR)

The Speaker informed us at the Public Hearing on Bill No. 277-36 (COR), held last Friday, that she will resolve our concern over the ownership status of the submerged lands off-shore from the AT&T Corporation by removing the legislative intent of the Bill that cites an informational memo from the Attorney General of Guam states that lease proceeds from all submerged lands will go to the Chamorro Land Trust Commission.

Farmers' Cooperative Association of Guam (FCAG):

What we received from the Farmers' Cooperative Association of Guam is an Income Statement for the Calendar Year 2020 submitted by the FCAG President.

An income statement shows the costs and expenses associated with earning revenue. The literal "bottom line" of the statement usually shows the company's net earnings or losses. This is the first thing we look at if we want to assess a company's profitability.

The first item on the FCAG Income Statement appears to show the total amount of funds reportedly brought in from what appears to be sales of products or services and rental of facilities for a total of \$162,245.

The next item is the amount of funds the FCAG reportedly spent to produce the goods or services it sold during Calendar Year 2020. These expenses identify both the costs of sales and operating expenses totaling \$186,050.

For Calendar Year 2020, the FCAG Income Statement shows a net loss of \$23,805.

I was surprised that depreciation and amortization was not included as an expense. Depreciation and amortization takes into account the wear and tear on assets, such as machinery, tools and furniture, which are used over the long term. Companies spread the cost of these assets over the periods they are used.

Without an independent audit of the FCAG, it would be difficult to validate their report. We were informed that the FCAG had hired an auditor or accountant to prepare this report. I recommend the Commission request the FCAG submit the Certified Financial Statements for Calendar Year 2020 along with the credentials of the individual who prepared them.

The three core financial statements usually prepared are:

Income Statement - shows the company's net earnings or losses over a specific time period,

Balance Sheet - shows the company's assets and liabilities, at a specific point in time,

Cash Flow Statement - shows the changes in a company's cash position during a fiscal period.

Attachment A: FCAG Income Statement

GALC FY 2021 Independent Financial Audit:

April 6, 2022, the Office of Public Accountability released financial statements prepared by independent auditors Deloitte and Touche, LLP which issued an unmodified, clean opinion on the Guam Ancestral Lands Commission for Fiscal Year 2021.

GALC closed FY 2021 with an increase of \$333K or 82% net change in fund balance (net income). This resulted in a \$738K or 5% gain in the overall fund balance of \$14.6M compared to FY 2020's ending balance of \$13.9M.

Total revenues of \$1.3M increased by \$402K (45%), from \$899K in FY 2020. This was due to the \$333K increase of interest income earned on the GALC's time certificates of deposit and the \$101K increase in lease rentals revenues.

Increases in expenditures were approximately \$70,000 more in FY 2021 than FY 2020. This increase was primarily due to roof repairs of the GEPA Building in Tiyan.

It was noted that there are potential revenues not being collected as GALC recorded \$2.4M in lease rental receivables, which included \$978K in deferred rental payments and \$805K in delinquent lease rental payments. In FY 2021, \$2.1M of total receivables were determined uncollectible.

In the financial statements we noted an accounting entry that needs to be cleaned so the Quick Book entries can be balanced out to prevent this issue from being noted in future audits.

During the audit process of FY 2020, the auditors noted a Finding of Potential Non-Compliance with Public Law 34-108 due to funds from the AT&T settlement and lease proceeds being deposited into the GALC Survey, Infrastructure, and Development Fund. As a result, \$4,511,038.97, from the GALC SIDF (Account 0102) was transferred to the Land Bank Trust Fund (Account 0100).

However, during the FY 2021 audit process, the auditor stated that the cash transfer of \$4,511,039 exceeded the required reimbursement amount of \$4,432,401 by \$78,638 and recommended the Commission rectify this matter through a cash transfer from the Land Bank Trust Fund to the SIDF. Additionally, the auditor identified a potential noncompliance with Public Law 34-108 and recommended the transfer of \$117,955 from the SIDF to the Land Bank Trust Fund.

Lastly, we recently discovered Check No. 46118 in the amount of \$39,318.17 for the months of October and November 2019 from the AT&T lease proceeds was deposited into the SIDF that should have been deposited into the Land Bank Trust Fund.

This is an accounting entry that needs to be cleaned so the Quick Book entries can be balanced out to prevent this issue from being noted in future audits. We have prepared two resolutions for your review and approval. One resolution will transfer funds from the Land Bank Trust fund to the SIDF and the other will transfer funds from the SIDF to the Land Bank Trust Fund.

Attachment B: GALC Resolution No. 2022-005

Attachment C: GALC Resolution No. 2022-006

Attachment D: AT&T Ledger

GEDA/GALC Investment Services MOU:

Is still out circulating for review and signatures.

Thank you for the opportunity to present this update. Please let me know if further information is required.



Farmers Cooperative Association of Guam
144 W Santa Monica Ave., Dededo GU 96929
fcaguam@gmail.com

Guam Economic Development Authority
Guam Ancestral Land Commission

Hafa Adai and Buenas Ms. Mendiola and R. Burke,

Below is the Farmers Cooperative Association of Guam's financial report for calendar 2020.

Income:

Non-Facility	\$124,226
Facility Use	<u>38,019</u>
Total Income	162,245

Expenses:

Produce	153,099
Salary	16,074
Water	6,799
Power	9,328
Supplies/Misc	<u>750</u>
	186,050
Net Gain/Loss	<u>\$(23,805)</u>



If you have any questions, please call Kathrina Reyes at 671-797-1844.

Si Yu'us Ma'ase,


Michael E.D. Aguon
FCAG President



GUAM ANCESTRAL LANDS COMMISSION

RESOLUTION NO. 2022-005

***FY 2022 TRANSFER OF FUNDS IN THE TRUST FOR GUAM
ANCESTRAL LANDS COMMISSION "LAND BANK TRUST
FUND" AND "SURVEY, INFRASTRUCTURE, AND
DEVELOPMENT FUND" INSTRUCTIONS TO COAST 360
FEDERAL CREDIT UNION***

WHEREAS, the Guam Ancestral Lands Commission, in accordance with Title 21, Guam Code Annotated, Chapter 80 and Public Law 25-45, has the responsibility for the return of excess government lands to its original land owners except in circumstances when land is clearly under existing public use or lands were Spanish Crown Land; and

WHEREAS, the Guam Ancestral Lands Commission shall administer all assets and revenues of the Land Bank Fund where resulting income shall provide just compensation for those dispossessed ancestral landowners; and

WHEREAS, Title 5 Guam Code Annotated, Chapter 21, Investments and Deposits, governs the methods and processes for Guam Ancestral Lands Commission to invest its monetary assets; and

WHEREAS, on April 13, 2022, the Guam Ancestral Lands Commission Board of Commissioners at their regularly scheduled meeting, via Zoom teleconference, met to discuss the draft audit findings by the Office of Public Accountability; and

WHEREAS, on April 13, 2022, the Guam Ancestral Lands Commission Board of Commissioners at their regularly scheduled meeting, via Zoom teleconference, unanimously passed a motion to transfer a total of Seventy-Eight Thousand Six Hundred Thirty-Six Dollars and Thirty-Two Cents (\$78,636.32) in the *Trust for Guam Ancestral Lands Commission* from the *Land Bank Trust Fund* (Account 0100) to the *Survey, Infrastructure, and Development Fund* (Account 0102).

NOW THEREFORE BE IT RESOLVED, The Guam Ancestral Lands Commission Board of Commissioners directs Coast 360 Federal Credit Union to transfer for FY 2022 funds in the *Trust for Guam Ancestral Lands Commission* (Member Number 0000236454) from the *Land Bank Trust Fund* (Account 0100)

to the *Survey, Infrastructure, and Development Fund* (Account 0102) Seventy-Eight Thousand Six Hundred Thirty-Six Dollars and Thirty-Two Cents (\$78,636.32).

SO SAYETH THE GUAM ANCESTRAL LANDS COMMISSION AND ITS CHAIRMAN, SECRETARY / TREASURER AND EXECUTIVE DIRECTOR THIS 13TH DAY OF APRIL IN THE YEAR OF OUR LORD, 2022.

Date: _____

RONALD F. ECLAVEA, Chairperson

MARIA G. CRUZ, Secretary/Treasurer

JOHN T. BURCH, Executive Director



GUAM ANCESTRAL LANDS COMMISSION

RESOLUTION NO. 2022-006

***FY 2022 TRANSFER OF FUNDS IN THE TRUST FOR GUAM
ANCESTRAL LANDS COMMISSION "SURVEY,
INFRASTRUCTURE, AND DEVELOPMENT FUND" AND
"LAND BANK TRUST FUND" INSTRUCTIONS TO COAST
360 FEDERAL CREDIT UNION***

WHEREAS, the Guam Ancestral Lands Commission, in accordance with Title 21, Guam Code Annotated, Chapter 80 and Public Law 25-45, has the responsibility for the return of excess government lands to its original land owners except in circumstances when land is clearly under existing public use or lands were Spanish Crown Land; and

WHEREAS, the Guam Ancestral Lands Commission shall administer all assets and revenues of the Land Bank Fund where resulting income shall provide just compensation for those dispossessed ancestral landowners; and

WHEREAS, Title 5 Guam Code Annotated, Chapter 21, Investments and Deposits, governs the methods and processes for Guam Ancestral Lands Commission to invest its monetary assets; and

WHEREAS, on April 13, 2022, the Guam Ancestral Lands Commission Board of Commissioners at their regularly scheduled meeting, via Zoom teleconference, met to discuss the draft audit findings by the Office of Public Accountability; and

WHEREAS, on April 13, 2022, the Guam Ancestral Lands Commission Board of Commissioners at their regularly scheduled meeting, via Zoom teleconference, unanimously passed a motion to transfer a total of One Hundred Seventeen Thousand Nine Hundred Fifty-Four Dollars and Forty-Nine Cents (\$117,954.49) in the *Trust for Guam Ancestral Lands Commission* from *the Survey, Infrastructure, and Development Fund* (Account 0102) to the *Land Bank Trust Fund* (Account 0100).

NOW THEREFORE BE IT RESOLVED, The Guam Ancestral Lands Commission Board of Commissioners directs Coast 360 Federal Credit Union to transfer for FY 2022 funds in the *Trust for Guam Ancestral Lands Commission* (Member Number 0000236454) from *the Survey, Infrastructure, and*

Development Fund (Account 0102) to the ***Land Bank Trust Fund*** (Account 0100) in the amount One Hundred Seventeen Thousand Nine Hundred Fifty-Four Dollars and Forty-Nine Cents (\$117,954.49).

SO SAYETH THE GUAM ANCESTRAL LANDS COMMISSION AND ITS CHAIRMAN, SECRETARY / TREASURER AND EXECUTIVE DIRECTOR THIS 13TH DAY OF APRIL IN THE YEAR OF OUR LORD, 2022.

Date: _____

RONALD F. ECLAVEA, Chairperson

MARIA G. CRUZ, Secretary/Treasurer

JOHN T. BURCH, Executive Director

Attachment D

AT&T INITIAL TRANSFER TO LAND BANK

Invoice Date	Invoice #	Description	Check Date	Check #	Check Amount
11/8/2019	BOG1082019	Back Rent (Settlement)	11/12/2019	46073	\$4,196,493.69
11/21/2019	BOG11212019	Oct & Nov 2019 Lease	12/5/2019	46118	Missed Filed
1/6/2020	BOG01062020	Dec 2019 & Jan 2020 Lease	1/27/2020	46224	\$ 39,318.16
2/4/2020	BOG02042020	February 2020 Lease	2/13/2020	46260	\$ 19,659.08
6/6/2020	BOG03032020	March 2020 Lease	6/12/2020	46417	\$ 19,659.08
6/9/2020	BOG05042020	May 2020 Lease	6/12/2020	46419	\$ 19,659.08
6/9/2020	BOG04032020	April 2020 Lease	6/12/2020	46418	\$ 19,659.08
7/13/2020	BOGGU07062020	July 2020 Lease	7/17/2020	46464	\$ 19,659.08
7/13/2020	BOGGU06032020	June 2020 Lease	7/17/2020	46463	\$ 19,659.08
8/4/2020	BOGGU08042020	August 2020 Lease	11/6/2020	46602	\$ 19,659.08
9/30/2020	BOGGU09032020	September 2020 Lease	11/6/2020	46603	\$ 19,659.08
10/5/2020	BOG 10052020	October 2020 Lease	11/27/2020	46633	\$ 19,659.08
11/4/2020	BOG 11042020	November 2020 Lease	11/27/2020	46634	\$ 19,659.08
12/30/2020	BOGGU12032020	December 2020 Lease	1/11/2021	46672	\$ 19,659.08
1/5/2021	BOG01052021	January 2021 Lease	2/10/2021	46707	\$ 19,659.08
2/3/2021	BOG02032021	February 2021 Lease	2/10/2021	46707	\$ 19,659.08
3/3/2021	BOGGU03032021	March 2021 Lease	3/15/2021	46745	\$ 19,659.08
				Total	\$4,511,038.97

AT&T AUDIT RECOMMENDATION TRANSFER FROM LAND BANK TO SIDF

Invoice Date	Invoice #	Description	Check Date	Check #	Check Amount
12/30/2020	BOGGU12032020	December 2020 Lease	1/11/2021	46672	\$ 19,659.08
1/5/2021	BOG01052021	January 2021 Lease	2/10/2021	46707	\$ 19,659.08
2/3/2021	BOG02032021	February 2021 Lease	2/10/2021	46707	\$ 19,659.08
3/3/2021	BOGGU03032021	March 2021 Lease	3/15/2021	46745	\$ 19,659.08
				Total	\$ 78,636.32

AT&T AUDIT RECOMMENDATION TRANSFER FROM SIDF TO LAND BANK

Invoice Date	Invoice #	Description	Check Date	Check #	Check Amount
11/21/2019	BOG11212019	Oct & Nov 2019 Lease	12/5/2019	46118	\$ 39,318.17
12/30/2020	BOGGU12032020	December 2020 Lease	1/11/2021	46672	\$ 19,659.08
1/5/2021	BOG01052021	January 2021 Lease	2/10/2021	46707	\$ 19,659.08
2/3/2021	BOG02032021	February 2021 Lease	2/10/2021	46707	\$ 19,659.08
3/3/2021	BOGGU03032021	March 2021 Lease	3/15/2021	46745	\$ 19,659.08
				Total	\$ 117,954.49

AT&T TOTAL LEASE PROCEEDS

Invoice Date	Invoice #	Description	Check Date	Check #	Check Amount
11/8/2019	BOG1082019	Back Rent (Settlement)	11/12/2019	46073	\$4,196,493.69
11/21/2019	BOG11212019	Oct & Nov 2019 Lease	12/5/2019	46118	\$ 39,318.17
1/6/2020	BOG01062020	Dec 2019 & Jan 2020 Lease	1/27/2020	46224	\$ 39,318.16
2/4/2020	BOG02042020	February 2020 Lease	2/13/2020	46260	\$ 19,659.08
6/6/2020	BOG03032020	March 2020 Lease	6/12/2020	46417	\$ 19,659.08
6/9/2020	BOG05042020	May 2020 Lease	6/12/2020	46419	\$ 19,659.08
6/9/2020	BOG04032020	April 2020 Lease	6/12/2020	46418	\$ 19,659.08
7/13/2020	BOGGU07062020	July 2020 Lease	7/17/2020	46464	\$ 19,659.08
7/13/2020	BOGGU06032020	June 2020 Lease	7/17/2020	46463	\$ 19,659.08
8/4/2020	BOGGU08042020	August 2020 Lease	11/6/2020	46602	\$ 19,659.08
9/30/2020	BOGGU09032020	September 2020 Lease	11/6/2020	46603	\$ 19,659.08
10/5/2020	BOG 10052020	October 2020 Lease	11/27/2020	46633	\$ 19,659.08
11/4/2020	BOG 11042020	November 2020 Lease	11/27/2020	46634	\$ 19,659.08
12/30/2020	BOGGU12032020	December 2020 Lease	1/11/2021	46672	\$ 19,659.08
1/5/2021	BOG01052021	January 2021 Lease	2/10/2021	46707	\$ 19,659.08
2/3/2021	BOG02032021	February 2021 Lease	2/10/2021	46707	\$ 19,659.08
3/3/2021	BOGGU03032021	March 2021 Lease	3/15/2021	46745	\$ 19,659.08
				Total	\$4,550,357.14

MEMORANDUM

Date: April 27, 2022

To: Executive Director, Guam Ancestral Lands Commission

From: CEO / Administrator

Subject: GEDA Monthly Progress Report

Hafa Adai!

The following is a progress report on GEDA's efforts to manage Land Bank Trust properties as required by Section 1(i) of the MOU between GEDA and GALC Land Bank Trust:

- **Wettengel Junction : Northern Market, LLC (NM)**

Monthly Rent	Outstanding Balance
\$ 27,854.51	\$1,220,494.31

- Total Deferred Balance (\$1,041,519.19) and Total Interest Balance (\$178,975.12) = Total outstanding balance (\$1,220,494.31) as of April 2022.
- Northern Market on Extended 1 year Full Rent Deferral from Nov. 2021 to Oct. 2022.
- Next quarterly report due on May 10, 2022. Reminder sent to Tenant on April 19, 2022 via email.

- **Apra Harbor Parcel No. 1 (Commissary Junction): KwikSpace**

Monthly Rent	Outstanding Balance
\$3,949.63	\$ 0

- Tenant is current with its lease rents.

- **Apra Harbor Reservation F-12: Matson**

Monthly Rent	Outstanding Balance
\$ 27,733.00	\$ 27,733.00

- Last payment received on April 11, 2022.

- **Lot Apra Harbor Reservation F-12-R2: Trans Steel**

Monthly Rent	Outstanding Balance
\$ 500.00	\$9,900.00

- Tenant on a month to month tenancy and payment plan from May 2021 to present.
- Last payment received on April 04, 2022 in the amount of \$800.00

- **Tanguisson Cable Landing Station, Dededo (Lot 10192): AT&T**

Monthly Rent	Outstanding Balance
\$ 22,939.42	\$ 0

- Tenant makes regular monthly payments via EFT at the beginning of every month.
- Tenant is current with its lease rents.

- **Lot Apra Harbor Reservation F-12 Polaris Point: Smithbridge Guam**

Limited Term Full Payment	Outstanding Balance
\$ 13,333.33	\$0

- Tenant on a limited term license agreement for rental of two (2) acres for three (3) months to commence on April 01, 2022 and end at midnight on June 30, 2022.
- License agreement full balance was received on April 04, 2022.
 - Security Deposit (\$5,333.33) and rental payment (\$8,000.00) for full license term.

TIYAN PROPERTIES

- **Guam Environmental Protection Agency (GEPA)**

Monthly Rent	Outstanding Balance
\$ 8,000.00	\$ 216,000.00

- Tenant makes regular monthly payments via EFT before the end of the month.
- Last payment received on April 19, 2022

- **DPHSS (WIC)**

Monthly Rent	Outstanding Balance
\$ 8,400.00	\$ 29,099.35

- Last payment received on April 04, 2022.

Other Items

- **RFP 21-011 – For Lease and Development of Land Bank Trust Property: Lot Apra Harbor Reservations, F-12-1, portion of F-12-2, and F-12-3, Polaris Point, Piti**
- As of 04/13/22, Ongoing lease negotiations between GEDA, GALC and Vendor.

- **Farmer's Cooperative Association of Guam Inc.**
 - FCAG submitted their 2020 official financial report to GEDA on April 22, 2022. Financial report indicates total gross income of \$162,245.00. Pursuant to Section 681101 of Title 21 GCA, FCAG is to remit 2% of gross income from the previous year (2020) after the initial term of seven (7) years plus \$1.00 per annum. Based on their reported income, total rental and per annum balance due to GALC is \$3,245.90 for FY 2021.
- **MOU btw GEDA and GALC – Investment Services**
 - MOU is currently under review, approval and signature with the AG.

Should you have any questions, please contact us at 671-647-4332. *Si Yu'os Ma'ase'* for your continued support in generating revenues for the beneficiaries of the Trust.

Senseramente,

MELANIE MENDIOLA
CEO / Administrator

BAUMANN, KONDAS AND XU, LLC

ATTORNEYS AT LAW

SUITE 903, DNA BUILDING
238 ARCHBISHOP FLORES STREET
HAGATÑA, GUAM 96910

LADD A. BAUMANN
MARK E. KONDAS
NELSON J. XU
SHANE F.T. BLACK

TELEPHONE
(671) 477-9084
TELECOPIER
(671) 477-9087

E-MAIL
Ladd.Baumann@baumannguam.com

November 1, 2021

Ancestral Lands Commission
Executive Director John Burch
590S Marine Corps Drive
ITC BLdg, Suite 312
Tamuning, Guam 96913

Delivered via Email to admin@galc.guam.gov

Re: Amending Deed for 2nd portion of Lot No. 2458, Eda Agaga, Barrigada Guam

Dear Director Burch,

I represent the Estate of Antonia Blas Calvo. I am writing to ask you to amend a Quitclaim Deed executed by the Ancestral Lands Commission on October 26, 2012, which was made in error because there was a failure to consider a September 25, 1959 Order made by the Island Court of Guam under Probate of Will No. 70-56 for Joaquin Taitano Blas distributing assets related to Lot No. 2458, Eda Agaga, Barrigada, Guam to the heirs of the Estate of Antonia Blas Calvo. A copy of this document was recorded with the Department of Land Management on October 5, 1959 under Instrument No. 37111.

The first portion of the above reference property was returned by the Ancestral Lands Commission in portions. The first portion was in fact returned the Estate of Antonia Blas Calvo by Quitclaim deed executed on June 18, 2004 and recorded with the Department of Land Management on June 21, 2004 under Instrument No. 694354. The deed for this portion is accurate and was made in consideration of the Order for Probate of Will issued by the Island Court of Guam.

Subsequently, a second portion of the same property was returned by the Ancestral Lands Commission by Quitclaim Deed executed on October 26, 2012 and recorded at the Department of Land Management the same date under Instrument No. 843440. However, the Order for Probate of Will issued by the Island Court of Guam with regard of Joaquin Taitano Blas granting assets related to this property to the heirs of the Estate of Antonia Blas Calvo was not properly considered and the deed was issued to the estate of Joaquin Taitano Blas instead. If the Order of the Island Court had been considered as it was with regard to the first portion, the Ancestral Lands Commission should have deeded this property to the Estate of Antonia Blas Calvo.

I am hoping you can help me to correct this error for my client by amending the October 26, 2012 Quitclaims Deed made in relation to the second portion of the property such that the property can be properly distributed out of the Estate of Antonia Blas Calvo as was intended by the Will of Joaquin Taitano Blas and ordered by the Island Court of Guam.

Thank you for your attention to this matter. Should you have any questions or concerns, please don't hesitate to contact me.

Yours truly
BAUMANN, KONDAS and XU, LLC



Shane F.T. Black

Attachments

- Quitclaim Deed, Instrument No. 694354 June 21, 2004, with Affidavits
- Order in the Matter of the Estate of Joaquin Taitano Blas, Probate of Will No. 70-56
- Quitclaim Deed, Instrument No. 843440 October 26, 2012, with Affidavit

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